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U.S. House of Representatives**Committee on Energy and Commerce****SUBCOMMITTEE ON TELECOMMUNICATIONS AND FINANCE****Washington, DC 20515-6110****March 19, 1993**

The Honorable James H. Quello
Chairman
Federal Communications Commission
1919 M Street, NW
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Chairman Quello:

I am writing to express my concern about recent reports that some cable companies are dropping local television stations from their systems before the FCC has released its regulations governing carriage of local broadcast stations.

In February, Cablevision of New York notified customers in Southern Connecticut that as of April 1 they will still receive New York City network affiliates but will no longer receive local broadcast stations. Under its initial plan, those subscribers who were clearly within the Area of Dominant Influence (ADI) of Connecticut broadcast stations would have received New York rather than Connecticut stations. While Cablevision has reconsidered its plans in the face of strong local protest, there still is considerable uncertainty as to what Connecticut subscribers will receive.

In Boston, Cablevision of Massachusetts announced plans to drop local stations WHLL (Ch. 27) and WQTV (Ch. 68) ostensibly in order to make room for national cable programming services. Cablevision made no effort to reconcile its actions under the new requirements of the Cable Television Consumer Protection and Competition Act, but simply stated that the company is dropping these stations under the assumption that there will be no must carry rule. I found Cablevision's preemptive actions very troubling. More recently, the company indicated to me that it will wait until regulations the court rules on the must carry challenges before attempting to drop any local stations.

As you know, the must carry requirement in the Cable Act was designed to ensure access to local programming and to promote localism and diversity in programming. I am therefore very concerned with preemptive actions by cable companies in anticipation of the new rules as well as with reported attempts to intimidate local stations into forfeiting their rights under the retransmission consent provisions before FCC regulations are released.

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As the Commission develops regulations governing the carriage of local broadcasting stations, I urge you to fully review the activities of those cable companies that are taking anticipatory action in violation of the "must carry" provisions of the Act.

Sincerely,



Edward J. Markey
Chairman